

THE THIRD PARTY MONITORING TEAM (TPMT) AND ITS TERMS OF REFERENCE

1. MANDATE

The mandate of the Third Party Monitoring Team (TPMT) is to monitor, review and assess the implementation of all signed agreements, primarily the Framework Agreement on the Bangsamoro and its Annexes.

2. COMPOSITION

The TPMT is an independent body composed of the following:

- A chair, who shall be an eminent international person and shall act as convenor and spokesperson for the TPMT;
- A representative from a local non-government organization registered with the Securities and Exchange Commission, to be nominated by the GPH;
- A representative from a local non-government organization registered with the Securities and Exchange Commission, to be nominated by the MILF;
- A representative from an international non-government organization to be nominated by the GPH; and
- A representative from an international non-government organization to be nominated by the MILF.

One or two eminent international persons may be added to the membership of the TPMT as mutually agreed by the Parties. All members shall be mutually acceptable to and agreed upon by the Parties.

Unethical behavior may be a ground for removal from the TPMT of an individual member upon the recommendation of the body through the Chair and/or the Panels by mutual agreement. In any case, the final decision rests upon the Panels.

3. FUNCTIONS

3.1 The basic functions of the TPMT are to:

- a. Monitor and evaluate the implementation of all Agreements.
- b. Review and assess the progress of the implementation of commitments by both Parties under the Agreements. Towards this end, it shall submit comprehensive periodic reports and updates to both Parties for their appropriate action.
- c. Communicate to the public the progress and developments in the implementation of the Agreements of the Parties.

3.2 At the end of the transition period, upon the regular operation of the Bangsamoro Government, the GPH and MILF Peace Panels, together with the Malaysian Facilitator and the TPMT, shall convene a meeting to review, assess or evaluate the implementation of all agreements and the progress of the transition. An 'Exit Document' officially terminating the peace negotiations may be crafted and signed by both Parties if and only when all agreements have been fully implemented.

3.3 The TPMT shall have the power to organize its work in the manner it deems most appropriate. It shall, under the direction of the Chair, devise its own tasking, work plans, security and confidentiality protocols, and financial systems in order to comply with requirements imposed by funding sources. It shall also define a code of conduct particularly with respect to the relationship between its members and their organizational affiliations. These shall be contained in the TPMT's Internal Rules and Regulations which shall be submitted to the Panels for their approval.


3.4 The TPMT shall work on the basis of consensus. In reporting, any disagreements must be noted. The TPMT shall commit to work in the spirit of cooperation, confidence-building and trust among themselves and with their external relations.

3.5 Access to meetings, activities, informants, documents and data


The members of the TPMT shall have access to all reports and activities connected to the implementation of the Agreements. It shall directly coordinate with the concerned bodies and individuals in order to accomplish its functions and achieve its objectives.

The TPMT shall be allowed to observe the meetings of the Transition Commission and other bodies concerned with the implementation of the Agreements, subject to guidelines that the respective bodies may set.

4. REGULAR MEETINGS

The TPMT shall convene every two months and as they deem necessary.

5. REPORTING

The TPMT shall submit confidential written reports to the chairpersons of the two Peace Panels and to the facilitator, quarterly and as deemed necessary. The reports shall contain the TPMT's observations and recommendations. The Parties are not bound by the recommendations but shall submit written responses to the TPMT, furnishing a copy to the facilitator, within one month from receipt.


The TPMT shall produce a public written report yearly or as it deems necessary, providing an overall assessment of developments in the implementation of the Agreements. Before issuing a public report, the TPMT shall submit it to the Parties and to the Facilitator for comment and

consultation. The TPMT may consider the comments of the Parties but without prejudice to its independent discretion on what to publish.

6. CONFIDENTIALITY


All information, data or opinions gathered, generated or exchanged in connection with the work of the TPMT shall be treated with utmost consideration for the safety and security of the source and the integrity of the peace process. Critical and/or confidential information as defined by the TPMT may not be divulged to their respective organizations and other entities.

7. ADMINISTRATIVE AND SUPPORT ARRANGEMENTS

 The TPMT shall have an office and support staff/secretariat commensurate to its technical, operational and administrative requirements. It may engage the assistance of experts in the exercise of its monitoring and assessment functions.

8. FUNDING

Funding for the operations of the TPMT shall be independently sourced as jointly decided by the Parties in coordination with the TPMT. This may take the form of several funding streams or one funding source.

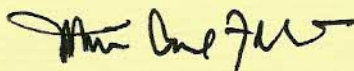
 To address the problem of a possible gap between the formal establishment of the TPMT and its longer-term funding support, the Parties undertake to find modalities for short-term bridge funding for the initial activities of the TPMT. Potential organizational members of the TPMT may indicate how they would cover any "bridge" period.

9. DURATION

The TPMT shall be formed by the Parties not later than one month after the signing of these Terms of Reference. It shall continue to exist until an Exit Agreement is reached.

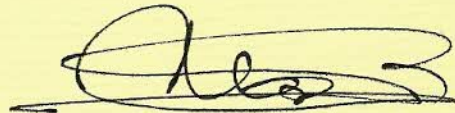
Done this 25th day of January 2013 in Kuala Lumpur, Malaysia.

FOR THE GPH:



MIRIAM CORONEL-FERRER
GPH Panel Chair

FOR THE MILF:



MOHAGHER IQBAL
MILF Panel Chair

SIGNED IN THE PRESENCE OF:



TENGGU DATO' AB GHAFAR TENGGU MOHAMED
Malaysian Facilitator